

AMENDED IN SENATE MAY 11, 2010

AMENDED IN SENATE APRIL 27, 2010

AMENDED IN SENATE APRIL 6, 2010

SENATE BILL

No. 1332

Introduced by Senator Dutton

February 19, 2010

An act to add *and repeal* Section 107046~~to~~ of the Health and Safety Code, relating to radiologic technology, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1332, as amended, Dutton. Radiologic technology.

Existing law requires the State Department of Public Health to approve schools for radiologic technologists that, in the judgment of the department, will provide instruction adequate to prepare individuals to meet requirements for certification as radiologic technologists under the Radiologic Technology Act. Existing law also requires the department to adopt reasonable standards for approved schools, for procedures for obtaining and maintaining approval, and for revocation of approval where standards are not maintained.

Existing law authorizes the department, when approving a school for radiologic technologists, to take into consideration accreditation, approval, or certification of the school by other agencies or organizations if the department finds that accreditation, approval, or certification was granted on the basis of standards that will afford the same protection to the public as the standards provided by the Radiologic Technology Act or the regulations adopted pursuant thereto.

This bill, *until January 1, 2015*, would require the department, subject to specified conditions, when approving a school that teaches diagnostic or therapeutic radiologic programs, to approve a school that it determines has met the requirements in a specified document published by the Joint Review Committee on Education in Radiologic Technology. The bill would also require the department to adopt the standards through a specified process before approving schools.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature hereby finds and declares all of
2 the following:

3 (a) State regulations and standards on the teaching of radiologic
4 technologists and accreditation of radiologic technology schools
5 are outdated and may not offer adequate protection to the public.

6 (b) Radiologic technology schools should be allowed to continue
7 teaching students as long as they are accredited by an agency
8 recognized by the federal Department of Education to accredit
9 education programs in radiography and radiation therapy.

10 (c) The standards, curriculum requirements, and teaching
11 methods prescribed in the Standards for an Accredited Educational
12 Program in Radiologic Sciences, published by the Joint Review
13 Committee on Education in Radiologic Technology have been
14 determined to afford the same protections to the public as provided
15 by California law and regulations.

16 (d) This act is not intended to limit the ability of the State
17 Department of Public Health to review and inspect materials
18 provided by schools for accreditation under the Joint Review
19 Committee on Education in Radiologic Technology program.

20 (e) This act is not intended to limit the ability of the State
21 Department of Public Health to inspect teaching site locations or
22 other documents with respect to the state regulation of equipment
23 or training personnel.

24 SEC. 2. Section 107046 is added to the Health and Safety Code,
25 to read:

1 107046. (a) In addition to Sections 107045 and 107050, the
2 department shall approve schools for radiologic technologists that
3 meet the Standards for an Accredited Educational Program in
4 Radiologic Sciences, published by the Joint Review Committee
5 on Education in Radiologic Technology, as they exist on January
6 1, 2010.

7 (b) This section shall only apply to schools teaching diagnostic
8 or therapeutic radiologic programs.

9 (c) This section shall only be implemented if both of the
10 following are complete:

11 (1) The standards set forth in subdivision (a) are available to
12 schools free of charge and accessible on the department's Internet
13 Web site or through a link to the standards.

14 (2) To the extent ~~permitted by~~ *consistent with* federal and state
15 health privacy laws *and with its authority pursuant to this chapter*,
16 the department has an agreement with the Joint Review Committee
17 on Education in Radiologic Technology to provide access to the
18 following information:

19 (A) School accreditation materials.

20 (B) Allegation of noncompliance by a school.

21 (C) Program reviews performed on schools located in California.

22 (d) Before approving a school pursuant to this section, the
23 department shall adopt the standards referred to in subdivision (a).
24 At least 45 days prior to adoption, the department shall post the
25 proposed standards on its Internet Web site. Public comment shall
26 be accepted by the department for at least 30 days after the
27 proposed standards are posted. If a member of the public requests
28 a public hearing during the 30-day review period, the hearing shall
29 be held prior to adoption of the standards. Changes to the standards
30 shall be made following the same process. Adoption of, and
31 changes to, the standards pursuant to this subdivision shall not be
32 subject to the rulemaking requirements of Chapter 3.5
33 (commencing with Section 11340) of Part 1 of Division 3 of Title
34 2 of the Government Code and written responses to public
35 comment shall not be required.

36 (e) *This section shall remain in effect only until January 1, 2015,*
37 *and as of that date is repealed, unless a later enacted statute, that*
38 *is enacted before January 1, 2015, deletes or extends that date.*

39 SEC. 3. This act is an urgency statute necessary for the
40 immediate preservation of the public peace, health, or safety within

1 the meaning of Article IV of the Constitution and shall go into
2 immediate effect. The facts constituting the necessity are:
3 In order to protect the health and safety of patients and to enable
4 radiologic technology schools to accept students in programs for
5 the 2010–11 fall semester, it is necessary for this act to take effect
6 immediately.

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